

Date: 4-15-91
To: Records Center *✓*
From: Michael J. McCabe *MJM*
Sr. Real Estate and Rights of Way Representative
Macomb Division
Subject: Right of Way Agreement for Underground Residential
Distribution for Cobblestone Ridge Condominiums, Phase
2 located in part of the Northwest 1/4 of Section 17,
Town 3 North, Range 13 East, Macomb Township, Macomb
County, Michigan

Attached for Records Center is the executed Right of Way Agreement, dated April 23, 1990, and other pertinent papers for the above named project.

Easement for this project was requested by Darrell White, Service Planner, Macomb Division. The Agreement was negotiated by Michael J. McCabe, Representative of Real Estate and Rights of Way, Macomb Division.

Detroit Edison Company, Comcast Cable Television and Michigan Bell Telephone Company made this agreement with Cobblestone Ridge Development, Paul A. Henderson, President, the developers of Cobblestone Ridge Condominiums, Phase 2.

Please make the attached papers a part of recorded Rights of Way file.

MJM/caw

Attachment

RECORDED RIGHT OF WAY NO. 41607

(B467750)

Detroit Edison

Real Estate and Rights of Way

Joint Underground Residential Distribution Right of Way Agreement

B559092

LIBER 05069 PG 797

LIBER 04878 PG 127

4-23

19 90

For good and valuable consideration of system betterment, the undersigned hereby grant and convey to THE DETROIT EDISON COMPANY, a Michigan corporation of 2000 Second Avenue, Detroit, Michigan, MICHIGAN BELL TELEPHONE COMPANY, a Michigan corporation of 444 Michigan Avenue, Detroit, Michigan and Comcast Cable Television, a Delaware corporation of 6065 Wall St., Sterling Heights, MI 48078 hereinafter referred to collectively as "GRANTEE", the right to erect, lay, maintain, reconstruct, add to and replace underground facilities consisting of wires, cables, conduits, fixtures and appurtenances including the necessary above ground equipment, connections, poles and accessories required in, under, upon, over and across the property located in the Township of Macomb County of Macomb State of Michigan, and more particularly described on the attached Appendix "A"; with the full right to the GRANTEE of ingress and egress upon said property for the purposes of this grant, and the further right to trim, cut down or otherwise control brush and trees within the right of way herein described.

Said right of way shall be 10 feet in width unless otherwise indicated and the route is described as follows:

The exact location of said easements will be as shown on a drawing to be recorded within 90 days after construction.

RECORDED IN MACOMB COUNTY, RECORDS AT: 9:45A M. APR - 3 1991

Edna Hill Clerk - Register of Deeds Macomb County, Michigan

RECORDED IN MACOMB COUNTY, RECORDS AT: 2:16p M. MAY 23 1990

Edna Hill Clerk - Register of Deeds Macomb County, Michigan

In order to provide for the proper maintenance and protection of GRANTEE, the undersigned covenant and agree that:

- 1. The right of way will be graded to within four inches of final grade before the GRANTEE'S lines are installed and this ground elevation must be maintained after installation of utilities to avoid the pooling of water in, on or around GRANTEE'S above ground equipment.
2. No buildings or structures other than GRANTEE'S equipment are to be placed within the right of way herein granted. No excavation is to be permitted within said right of way without approval of GRANTEE.
3. No shrubs or foliage shall be planted or grown within eight feet of the front door of transformers or switching cabinet enclosures. GRANTEE shall not be responsible to owners for damages to or removal of trees or plant life planted in front of said door or within the right of way causing an interference with GRANTEE'S maintenance of their equipment.
4. If the lines or facilities of GRANTEE are damaged by the acts of owners, their agents, employees or contractors, repairs shall be made by the granting company so damaged at the cost and expense of owners. Owners are defined as those persons owning the property at the time the damage occurred.

THIS GRANT is declared to be binding upon the heirs, successors, lessees, licensees and assigns of the parties hereto.

IN WITNESS WHEREOF, the undersigned have hereunto set their hand(s) on the date of this agreement.

Witnesses:

X Diane Evola DANE EVOLA

X Suzanne Haur SUZANNE HAUR

Grantors: COBBLESTONE RIDGE DEVELOPMENT CO. a Michigan Corporation

BY: Paul A. Henderson PAUL A. HENDERSON President

Prepared by: & return to: Darrell E. White 15600 - 19 Mile Road Mt. Clemens, MI 48044

Address: 45245 Romeo Plank, Suite A Mt. Clemens, MI 48044

Being Re-recorded to include Appendix B

RECORDED RIGHT OF WAY NO. 41607

Acknowledgement-Individual

STATE OF MICHIGAN

LIBER 05069PG798

County of _____)SS

On this _____ day of _____, 19____, the foregoing instrument was acknowledged before me, a notary public in and for said county, by _____

Notary Public, _____ County, Michigan

My commission expires _____

Acknowledgement-Individual

STATE OF MICHIGAN

County of _____)SS

On this _____ day of _____, 19____, the foregoing instrument was acknowledged before me, a notary public in and for said county, by _____

Notary Public, _____ County, Michigan

My commission expires _____

Acknowledgement-Corporation

STATE OF MICHIGAN

County of Macomb)SS

On this 23 day of April, 19 90, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Paul A Henderson whose title(s) is President of Cobblestone Ridge Development Co., a Michigan corporation, on behalf of the corporation.

Notary Public, Macomb County, Michigan

My commission expires _____

Sandra S. Clon

SANDRA S. CLON
NOTARY PUBLIC - MACOMB COUNTY, MICH.
MY COMMISSION EXPIRES 6-14-95

Acknowledgement-Partnership

STATE OF MICHIGAN

County of _____)SS

On this _____ day of _____, 19____, the foregoing instrument was acknowledged before me, a notary public in and for said county, by _____

(a) general/managing partner(s), on behalf of _____ a partnership.

Notary Public, _____ County, Michigan

My commission expires _____

RECORDED RIGHT OF FAX NO. 41607

APPENDIX "A"

"COBBLESTONE RIDGE CONDOMINIUMS, PHASE 2" Part of the Northwest 1/4 of Section 17, T3N, R13E, Macomb Township, Macomb County, Michigan, being described as: Beginning on the North line of Section 17, N 89°21'00" East 827.46 feet from the Northwest corner of Section 17; thence N 89°21'00" East 502.02 feet; thence S 00°10'43" East 298.02 feet; thence S 89°45'06" East 94.84 feet; thence S 00°10'43" East 346.00 feet; thence N 89°45'06" West 94.84 feet; thence S 00°10'43" East 375.00 feet; thence S 89°49'17" West 594.61 feet; thence N 00°10'43" West 480.0 feet; thence N 89°49'17" East 148.13 feet; thence N 00°11'13" East 231.07 feet; thence N 06°54'49" West 187.58 feet; thence N 00°10'43" West 22.82 feet; thence S 89°21'00" West 35.00 feet; thence N 00°10'43" West 95.0 feet to the point of beginning.

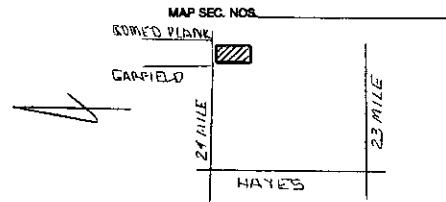
RECORDED RIGHT OF WAY NO. 41607

LIBER 05069PG800

APPENDIX B



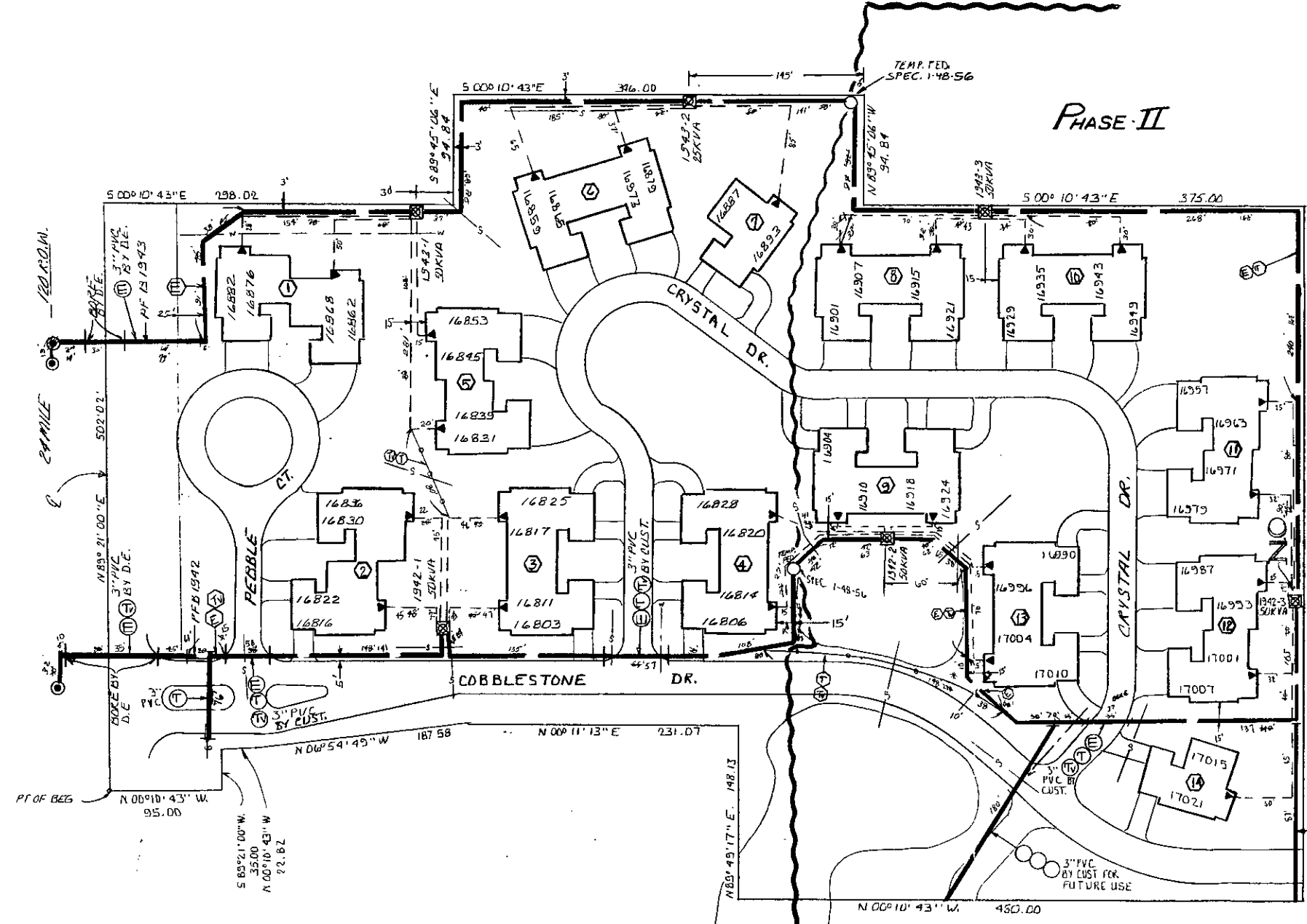
LOCATION SKETCH



LIBER 05069PG801

PF 6 19 43
SPECS. 2021
PHASE X FUSE 65K
LOC. N.S. 2.9 MILE & P.W. BOMED PLANK

PF 6 19 42
SPECS. 2021
PHASE X FUSE 65K
LOC. N.S. 2.4 MILE & P.W. NAMED PLANK



TRANSFORMER DATA

Table with columns: U.D.T. NO., SIZE, ED. STK. NO. containing transformer specifications for units 1942-1, 1943-1, 1942-2, 1943-2, 1943-3.

TRANSFORMER SPECS. 1-17-261
PEDESTAL AMOUNT _____ SPEC. _____
TEMPORARY CABLE MARKERS AMOUNT _____ SPEC. _____
SECONDARY CONNECTION BOX AMOUNT _____ SPEC. _____

CODE

- Legend for symbols: Temporary secondary pedestal, DFT (Dead Front Type), UDT (Non-switching-live front type), UDT (Switching-live front type), Direction of transformer door opening, Secondary pedestal, Secondary connection box, Cable pole, Primary switch cabinet, Buried primary cable, Buried secondary cable, Buried secondary service cable, Detroit Edison trench only, Telephone trench only, Sewer, Water, Gas, Proposed conduit, SEP conn cabinet.

NOTE: METER SHALL BE LOCATED IN SHADED AREA CLOSEST TO D.E.CO. SOURCE.

PHASE-II CABLE SUMMARY

Table listing cable types and quantities: #2XLPRC X1 13.2KV, #2CU PE IX1 13.2KV, #2CU PE IX2 13.2KV, #2CU PE IX3 13.2KV, AP2-350M & 1-4/0 600V, 3/GAL IX2 & 1/0 AL IX1, AP2-2/0 & 1#1 600V.

TRENCH SUMMARY

Table listing trench types and lengths: JOINT USE, D.E. ONLY, D.E. ONLY, CATV ONLY, TOTAL.

GENERAL NOTES

SITE SUPT: PHONE
D.E. SERVICE PLANNER: H. POSTL 286-9421
TEL. CO: MBT D. SOKOL 466-1042
GAS CO:
CATV: COMCO, H. POSTL 578-0270

CABLE SUMMARY

Table with columns: ITEM #, ESTIMATED, INSTALLED. Lists items #2XLPRC X1 13.2 KV and AP2-350M & 1-4/0 600 V.

TRENCH SUMMARY

Table with columns: ITEM #, ESTIMATED, INSTALLED. Lists trench types and lengths.

GENERAL NOTES

TRENCHING TO BE DONE BY D.E.CO.
TRENCH AND CABLE LENGTHS ARE APPROXIMATE.
SEE SECTION 56 UG LINE CONSTRUCTION STANDARDS FOR TRANS. MAT. DETAILS.
SEE PAGE 32-11 S.I.M.J DETAIL " " FOR ENTRANCE POINT DETAILS (APTS. ONLY)
SEE SECTION 43 UG LINE CONSTRUCTION STANDARDS FOR PLACEMENT OF CABLES, TRANSFORMERS AND PEDESTALS (SUB'DS ONLY)
D.E. SERVICE PLANNER: D. WHITE 286-9420
TEL. CO: MBT D. WOLFE 466-1044
GAS CO:
CATV: COMCO, H. POSTL 578-0270

NOTICE

Locations of underground facilities on this drawing are only approximate. Exact locations must be determined by the UTILITY COMPANIES. For exact locations, telephone MISS DIG on 800-482-7171 as required by Public Act 53 of 1974 before doing any power excavating.

Table for PERMITS REQUIRED with columns: DECO, MBT, CATV, GASCO and rows: SOIL EROSION, COUNTY ROAD, COUNTY DRAIN, CITY.

PERMITS REQUIRED

EASEMENTS INDICATED BY OUR CENTERLINE ARE IN WIDTH UNLESS OTHERWISE NOTED.
CITY OF _____ COUNTY _____ NOTIFICATION TO STATE YES NO

TITLE BLOCK
D.O. 20174942
W.O. 367291970
Start 8-13-90
Finish 8-15-90
Tech. UNION ETC.
Labor UNION ETC.
Splicing D.E.
Suprv. P. CARON
Records P. CARON

TITLE BLOCK
D.O. 2947222
W.O. 367291858
Start 3-26-90
Finish 3-28-90
Tech. BL. WED.
Labor UNION ETC.
Splicing D.E.
Suprv. P. CARON
Records P. CARON

Revision table with columns: D REVISION, C REVISION, B REVISION, A REVISION, REFERENCE. Includes descriptions like 'SHOWN AS INSTALLED IN FIELD PH. II' and 'REVISED TO SHOW ADDITION OF PHASE II'.

Approval table with columns: DRAWN BY, CHECKED BY, APPROVED BY, NAME, DATE, JOB TITLE. Includes signatures and dates for D. Adams and D. White.

COBBLESTONE RIDGE CONDO
PART OF THE N.W. 1/4 OF SEC. 17, T3N R13E.

Project information table with columns: SCALE, NUMBER OF UNITS, WORK ORDER NUMBER, LATEST REVISION, DISTRIBUTION CIRCUIT, DEPT. ORDER NUMBER, SHEET 1 OF 1 SHEETS.

COBBLESTONE RIDGE CONDO